

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(SOUTHERN DIVISION-GREENBELT)**

RICHARD (BRENT) ESKAY,

and

SEAN T. PRICE,

Plaintiffs,

v.

Civil Action No.: 8:19-cv-2590

TESLA ENERGY OPERATIONS, INC.,

and

TESLA, INC.,

Defendants.

---

**JOINT STATUS REPORT**

Plaintiffs, Richard (Brent) Eskay and Sean T. Price (collectively referred to as “Plaintiffs”), and Defendants, Tesla Energy Operations, Inc. f/k/a SolarCity Corporation and Tesla, Inc. (collectively referred to as “Defendants”), by and through their respective undersigned counsel, pursuant to a request of the Court, hereby provides the following status on the above-captioned matter:

1. The Complaint in this action was filed on September 16, 2019. Doc. 1. The parties conferred and Defendants having presented employee transfer agreements for each of the Plaintiffs that provide for arbitration of disputes before JAMS using the current employment dispute rules. Accordingly, on January 2, 2020, the parties filed a Consent Motion to Stay Count V and Transfer Counts I-IV to arbitration at JAMS, Doc. 16 (“Consent Motion”).

2. However, Plaintiff Richard (Brent) Eskay had an individual claim alleged in Count V of the Complaint, pursuant to Section 806 of the Sarbanes-Oxley Act of 2002 as amended (18

U.S.C. § 1514A) (“SOX”), that was not subject to mandatory arbitration. Plaintiff Eskay thereby did not agree to Count V being subject to arbitration, and requested the Court in the Consent Motion to stay Count V until the conclusion of arbitration.

3. On January 6, 2020, the Court granted the Consent Motion and required the parties to file a joint status report to the Court within 14-days of the conclusion of the arbitration.

4. Claimants filed an arbitration demand with JAMS on June 8, 2020. The arbitration filing by Claimants was delayed in part due to the COVID-19 pandemic and counsel for Claimants office closings and remote work situation.

Respectfully submitted,

/s/ Neil L. Henrichsen

Neil L. Henrichsen (07683)  
Henrichsen Law Group PLLC  
1440 G Street, NW  
Washington, DC 20005  
Telephone: (202) 423-3649  
nhenrichsen@hslawyers.com  
*Counsel for Plaintiffs*

/s/ Raymond C. Baldwin

Raymond C. Baldwin (25449)  
Seyfarth Shaw LLP  
975 F. Street, NW  
Washington, DC 20004  
Telephone: (202) 828-3583  
rbaldwin@seyfarth.com  
*Counsel for Defendants*